

ENTERED

April 10, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

CARLOS H. GONZALEZ,

§

VS.

§

§

CIVIL ACTION NO. 5:22-CV-116

ZAPATA COUNTY, RAYMUNDO DEL

§

BOSQUE, JR., JOE PEÑA, AND JOSE

§

MARTINEZ

§

ORDER

Before the Court is Defendants Zapata County, Raymundo Del Bosque, Jr., Joe Peña and Jose Martinez's Motion for Leave to File Original Answer to Plaintiff's Second Amended Complaint. (Dkt. No. 83).

Under the Southern District of Texas' local rules, a motion to for leave must contain an averment that "(1) [t]he movant has conferred with the respondent and (2) [c]ounsel cannot agree about the disposition of the motion. S.D. TEX. L.R. 7.1.D. The certificate of conference "should include the names of the parties who conferred or attempted to confer, the manner by which they communicated, the dispute at issue, as well as the dates, times, and results of their discussions, if any. This Court imposes additional requirements regarding a party's duty to confer. *See J. KAZEN CIV. CT. P. (6)(A)(1)* ("Counsel must make serious and timely efforts to confer with opposing counsel on all motions to try to reach agreements on relief to be requested be the movant.").

In their motion, Defendants provides a certificate of conference which states that Defendants' "counsel attempted to confer with Plaintiff's counsel regarding

opposition status to this motion via email” but explains that “Plaintiff’s counsel has not responded.” (Dkt. No. 83 at 4). Because Defendants counsel has only attempted to confer and no actual conference has been held, the motion is deficient under both the Southern District local rules and this Court’s rules.

Accordingly, the Court hereby **ORDERS** the parties to confer in good faith, as required by the District Court’s Civil Court Procedures in Civil Cases by **April 15, 2025**. The Court further **ORDERS** Defendants to file an amended certificate of conference describing the result of the conference by **April 17, 2025**. In the event Plaintiff is opposed to the motion, he shall file a response by **April 23, 2025**.

IT IS SO ORDERED.

SIGNED on the 10th day of April, 2025.



Christopher dos Santos
United States Magistrate Judge